

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>9-23-11</u>
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1 UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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:  
UNITED STATES OF AMERICA  
:  
-v.-  
:  
STEPHEN ERIC LAWRENCE and  
JOHN DAVID LEFEBVRE,  
:  
Defendant.  
:  
----- -x

CONSENT  
ORDER OF FORFEITURE

07 Cr. 597 (PKC)  
Sl 07 Cr. 597 (PKC)

WHEREAS, on or about June 29, 2007, STEPHEN ERIC LAWRENCE ("Lawrence"), was charged in one-count Information 07 Cr. 597 (PKC) (the "Information-1") and on or about July 10, 2007, JOHN DAVID LEFEBVRE ("Lefebvre") (collectively, "defendants"), was charged in a one-count Superseding Information Sl 07 Cr. 597 (PKC) (the "Information-2") (collectively "Informations") with conspiring to commit gambling, money laundering and unlicensed money transmitting offenses in violation of Title 18, United States Code, Sections 371 (Count One);

WHEREAS, the Informations included a forfeiture allegation seeking, pursuant to 18 U.S.C. § 981(a)(1)©, 982 and 1955(d) and 28 U.S.C. § 2461, all property real and personal, involved in the money laundering and unlicensed money transmitting offenses and any property, including money used in the gambling offenses, and all property, real and personal, that constitutes or is derived from proceeds traceable to the violations in the Informations;

WHEREAS, on or about June 29, 2007, Lawrence pled guilty to violating 18 U.S.C. § 371 in connection with his participation in the operations of NETeller PLC, a company that provided internet payment services and its related companies pursuant to a plea agreement (the "Lawrence Plea Agreement");

WHEREAS, in the Plea Agreement, Lawrence admitted the forfeiture allegation and agreed to forfeit, together with Lefebvre, with whom he is jointly and severally liable to the United States, a sum of money equal to \$100,000,000.00 in United States currency, which shall be paid on or before the date of sentencing;

WHEREAS, on or about July 10, 2007, Lefebvre pled guilty to violating 18 U.S.C. § 371 in connection with his participation in the operations of NETeller PLC, a company that provided internet payment services and its related companies pursuant to a plea agreement (the "Lefebvre Plea Agreement");

WHEREAS, in the Plea Agreement, Lefebvre admitted the forfeiture allegation and agreed to forfeit, together with Lawrence, with whom he is jointly and severally liable to the United States, a sum of money equal to \$100,000,000.00 in United States currency, which shall be paid on or before the date of sentencing;

WHEREAS, the parties have agreed that Lawrence shall be responsible for sixty percent of the forfeiture judgment (\$60,000,000.00) and Lefebvre shall be responsible for forty

percent of the forfeiture judgment (\$40,000,000.00) which shall be paid on or before the date of sentencing;

WHEREAS, as of September 21, 2011, Lawrence has paid \$60,000,000.00 in United States currency, fulfilling his forfeiture obligation, and Lefebvre has paid \$40,000,000.00 in United States currency, fulfilling his forfeiture obligation.

IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiff United States of America, by its attorneys Assistant United States Attorneys, Arlo Devlin-Brown and Sharon Cohen Levin, and defendant Stephen Eric Lawrence, through his counsel Peter G. Neiman, Esq., and defendant John David Lefebvre, through his counsel Benjamin N. Gluck, Esq.:

1. As a result of the offenses in the Informations, for which the defendants pled guilty, a money judgment in the amount of \$100,000,000 (the "Money Judgment") shall be entered against the defendants jointly and severally, as part of their criminal sentences.

2. The payment of \$60,000,000.00 by Lawrence shall be applied to the forfeiture Money Judgment, this payment fully satisfies Lawrence's forfeiture obligation.

3. The payment of \$40,000,000.00 by Lefebvre shall be applied to the forfeiture Money Judgment, this payment fully satisfies Lefebvre's forfeiture obligation.

4. Pursuant to Rule 32.2(b)(4)(A) of the Federal Rules of Criminal Procedure, this Consent Order of Forfeiture is

final as to the defendants, Stephen Eric Lawrence and John David Lefebvre, upon entry of this order, and shall be deemed part of the sentences of these defendants, and shall be included in the judgment of convictions therewith.

5. Upon execution of this Order of Forfeiture, and pursuant to 21 U.S.C. § 853, the United States Marshals Service shall be authorized to deposit the payments made on the Money Judgment totaling \$100 million dollars into the Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

6. The Court shall retain jurisdiction to enforce this Order, and to amend it as necessary, pursuant to Rule 32.2(e) of the Federal Rules of Criminal Procedure.

7. The Clerk of the Court shall forward three certified copies of this Consent Order of Forfeiture to Assistant United States Attorney Sharon Cohen Levin, United States Attorney's Office, One St. Andrew's Plaza, New York, New York 10007.

8. This Consent Order may be executed in counterparts, each of which shall constitute an original as against the party whose signature appears on it. All executed counterparts shall be deemed to be one and the same instrument. This Consent Order shall become binding when one or more counterparts, individually or taken together, bears the signature of all Parties. A facsimile or electronic image of the original signature of any party executing this Consent Order shall be

deemed an original signature and shall constitute an original as against the party whose signature appears in the facsimile or electronic image.

AGREED AND CONSENTED TO:  
PREET BHARARA  
United States Attorney for the  
Southern District of New York  
Attorney for Plaintiff

By: ARLO DEVLIN-BROWN  
SHARON COHEN LEVIN  
Assistant United States Attorneys  
One St. Andrew's Plaza  
New York, NY 10007  
(212) 637-2506/1060

9/23/11  
DATE

By: STEPHEN ERIC LAWRENCE

DATE

By: PETER NEIMAN, ESQ  
Attorney for Stephen Eric Lawrence

DATE

By: JOHN DAVID LEFEBVRE

DATE

By: BENJAMIN N. GLUCK  
Attorney for John David Lefebvre

DATE

SO ORDERED:

HONORABLE P. KEVIN CASTEL  
UNITED STATES DISTRICT JUDGE

DATE

deemed an original signature and shall constitute an original as against the party whose signature appears in the facsimile or electronic image.


AGREED AND CONSENTED TO:  
PREET BHARARA  
United States Attorney for the  
Southern District of New York  
Attorney for Plaintiff

By: \_\_\_\_\_  
ARLO DEVLIN-BROWN  
SHARON COHEN LEVIN  
Assistant United States Attorneys  
One St. Andrew's Plaza  
New York, NY 10007  
(212) 637-2506/1060

\_\_\_\_\_  
DATE

By:  \_\_\_\_\_  
STEPHEN ERIC LAWRENCE

9/22/11  
\_\_\_\_\_  
DATE

By:  \_\_\_\_\_  
PETER NEIMAN, ESQ  
Attorney for Stephen Eric Lawrence

9/22/11  
\_\_\_\_\_  
DATE

By: \_\_\_\_\_  
JOHN DAVID LEFEBVRE

\_\_\_\_\_  
DATE

By: \_\_\_\_\_  
BENJAMIN N. GLUCK  
Attorney for John David Lefebvre

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UNITED STATES DISTRICT JUDGE

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United States Attorney for the  
Southern District of New York  
Attorney for Plaintiff

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SHARON COHEN LEVIN  
Assistant United States Attorneys  
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(212) 637-2506/1060

\_\_\_\_\_  
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By: \_\_\_\_\_  
STEPHEN ERIC LAWRENCE

\_\_\_\_\_  
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By: \_\_\_\_\_  
PETER NEIMAN, ESQ  
Attorney for Stephen Eric Lawrence

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By: \_\_\_\_\_  
JOHN DAVID LEFEBVRE

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By: \_\_\_\_\_  
BENJAMIN N. GLUCK  
Attorney for John David Lefebvre

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UNITED STATES DISTRICT JUDGE

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